

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Originally filed Claims 1 –24 have been canceled, and new Claims 25-42 have been added. The Examiner is respectfully requested to reconsider the rejection of the application in view of the amendments and remarks as set forth herein below.

Claim for Priority

It is gratefully acknowledged that the Examiner has recognized the Applicants' claim for foreign priority. In view of the fact that Applicants' claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

Acknowledgement of Information Disclosure Statement

The Examiner has acknowledged the Information Disclosure Statement filed on July 25, 2001. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

The Title

The Examiner has objected to the title of the invention as not being descriptive. Accordingly, the title has been amended, and the Examiner is respectfully requested to approve the amended title.

The Abstract

The Examiner has objected to the Abstract because the Abstract should be in narrative form, and it should not include legal phraseology. Accordingly, the specification has been amended to include a substitute Abstract.

The Specification

The Examiner has objected to two typographical errors which appear in paragraph [0005] of the specification. Accordingly, paragraph [0005] has been amended to correct the errors noted by the Examiner.

Claim Rejection Under 35 U.S.C. § 112

The Examiner has rejected claims 2 and 8 under the provisions of 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 2 and 8 have been canceled, and the rejection is moot.

The Rejection Under 35 U.S.C. § 102

The Examiner has rejected claims 1-24 under the provisions of 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 5,872,798 (Baggen et al.). Claims 1 –24 have been canceled, and the rejection under the provisions of 35 U.S.C. § 102(b) is now moot.

New claims 25-42

The Applicants have amended the application to include new claims 25-42. It is respectfully submitted that new claims 25-42 are not anticipated by the Baggen et al. patent, and that the newly added claims are patentable over the prior art of record.

The newly added claims include independent method claims 25, 32, 36 and 42. Each of the newly added independent claims includes a step of creating frames having a plurality of blocks, a first group of the blocks having data and a first error correction code and a second group of blocks having at least a second error correction code. It is respectfully submitted that the Baggen et al. patent and the other prior art of record do not teach, show or suggest the claimed step of creating frames having a plurality of blocks and error correction codes of the type disclosed and claimed by the Applicants. Accordingly, it is respectfully submitted that newly added claims 25-42 are patentable over the prior art of record.

CONCLUSION


All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard J. McGrath (Reg. No. 29,195), to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &, BIRCH, LLP

By: _____


Michael R. Cammarata
Reg. No. 39,491


MKM/RJM/kmr
(703) 205-8000
1163-0349P

P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000